

REMARKS

Claims 1, 2, 5-8, 10-14 and 21-29 are pending in this application. Of these claims, claims 8 and 21-29 stand rejected under 35 USC §112, first paragraph, as failing to comply with the written description requirement for the reasons set forth on page 2 of the Office Action. Further, claims 1, 2, 5-8, 10, 11, 13, 14 and 21-29 stand rejected under 35 USC §103(a) as being unpatentable over Starz; claims 2, 6, 12-14, 22-24 and 29 stand rejected under 35 USC §103(a) as being unpatentable over Starz in view of Swathirajan; and claims 5, 12, 13, 23 and 29 stand rejected under 35 USC §103(a) as being unpatentable over Starz in view of Grot.

In view of the above amendment, the §112, first paragraph, rejection is traversed, and reconsideration of this application is respectfully requested.

The Specification has been amended above in paragraph [0027] to correct an error in identifying the ionomer layer as ionomer layer 36.

Claims 8 and 21-29 have been rejected under §112, first paragraph, as failing to comply with the written description requirement because claims 8 and 21 do not identify the concentration of ionomer in the catalyst as being a ratio of carbon. Applicant submits that paragraph [0027] of the Specification states that the ink 18 includes a catalyst, solvent and half the ionomer concentration as a ratio of ionomer to carbon. That paragraph also states that the final catalyst layer including the ionomer layer 36 provides a total ionomer to carbon ratio in the range 0.8 - 1.2/1, where the amount of ionomer in the final catalyst layer is at least doubled from the amount of ionomer in the catalyst.

Applicant respectfully submits that even though the concentration of the ionomer in the catalyst layer is identified in the Specification as a ratio of ionomer to carbon, the concentration of the ionomer in the catalyst ink is still stated as being

about half of the concentration of the ionomer in the final catalyst layer. Therefore, Applicant respectfully submits that claims 8 and 21 fully comply with the written description requirement of §112, first paragraph, because the Specification describes, "[t]he claimed invention in sufficient detail that one skilled in the art can reasonably conclude that the inventor had possession of the claimed invention." MPEP 2163I.

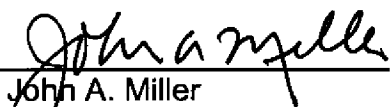
In an attempt to make claims 8 and 21 more fully comply with the Specification, these claims have been amended above to state that the concentration of the ionomer in the catalyst is a ratio of ionomer to carbon. It is believed to be proper that this amendment be entered because it puts this application in better condition for Appeal. It is therefore respectfully requested that the §112, first paragraph, rejection be withdrawn.

Applicant will take up the remaining issues on Appeal.

Respectfully submitted,

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